Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
Amendment of Sections 90.20 and 90.175 of the	)	
Commission's Rules for Frequency Coordination	)	WT Docket Number 02-285
of Public Safety Frequencies in the Private Land	)	
Mobile Radio Below 470 MHz Band	)	

To: The Commission

COMMENTS OF THE STATE OF CALIFORNIA

The State of California ("State") as represented by its Department of General Services, Telecommunications Division hereby submits the following comments in the above-captioned proceeding. The State supports amendment of the FCC Rules and Regulations to permit frequency coordination of the private land mobile frequencies below 470 MHz by any one of the four certified public safety frequency coordinators[1].

The Department of General Services, Telecommunications Division performs all licensing activities, including frequency coordination, for radio systems operated by State agencies. The State currently holds approximately 3500 land mobile radio licenses and submits nearly 200 license applications each year that require coordination by one of the certified public safety frequency coordinators. As such, the State is very familiar with the frequency coordination process as currently implemented.

[1] The Association of Public-Safety Communications Officials-International, Inc (APCO); the International Municipal Signal Association (IMSA); the Forestry-Conservation Communications Association (FCCA); and the American Association of State Highway and Transportation Officials (AASHTO)

In 1997, when the Commission consolidated the twenty PLMR radio services into two pools (one being the public safety pool), the State supported the continued separation of responsibility between the four certified coordinators. The State believes, however, that technology as well as practices/procedures have advanced to the point wherein that separation no longer is in the best interest of the public safety community.

In 1997, the Commission rightfully acknowledged that certain frequencies could be used by any of the services and that, therefore, any of the four frequency coordinators should be allowed to perform frequency coordinations regarding those frequencies. The experience gained in implementing that process has shown that the four certified coordinators can work from a common pool of frequencies, can exchange information regarding work-in-progress, and can complete the frequency coordination process with minimal conflict. This ability to "work together" has been further demonstrated in the shared coordination process recently implanted for the 800 MHz frequencies and the proposed coordination procedures for the new 700 MHz band. It is time to expand that sharing of responsibility to the remainder of the public safety pool of channels.

The State disagrees with assertions made by AASHTO, FCCA, and IMSA that "local and regional plans" inhibit the ability of other coordinators to perform coordinations on certain frequencies. While such plans may exist[2], keeping them as the "secret information" of the coordinator is inappropriate. These plans need to be public information such that all parties can be made aware of the plan, understand who benefits from the plan, and become aware of what the process/procedure is to seek modification of the plan. By making frequency coordination a shared responsibility, it will become necessary to make such plans public information. The State believes this to be a benefit of and not a detractor to the proposed amendment of the Rules.

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[2] The State certainly is aware of such plans existent in California

The State also believes that open competition for frequency coordination services is in the best interest of the public safety community. Currently, the State finds itself locked into a "sole source" process for obtaining frequency coordination services. This can and does result in increased cost and, in some cases, force acceptance of less-than-desirable services. Each of the frequency coordinators has a "published" price schedule for coordination services, but these schedules vary significantly in their format and structure. Thus, it is difficult for us to estimate the cost for frequency coordination prior to submitting an application. Furthermore, the State is aware that each of the four certified frequency coordinators have submitted bids that significantly under-cut these published rates when competitive bidding has been utilized for certain large radio systems being implemented by public safety agencies on shared-coordination frequencies. The State believes that all public safety agencies should be able to avail themselves of competitive bidding.[3]

The State also has been a "victim" of increased costs and delays in the frequency coordination process resulting from certain applications that require action by more than one of the certified coordinators.[4] The proposed amendment would eliminate this cumbersome process with little or no effect on the overall quality of the work performed.

The State supports the required use of a propagation-based engineering analysis to minimize new systems from causing interference to existing systems. While the State acknowledges that spectrum available for public safety use is becoming increasing scarce in some areas, it also recognizes that the public interest is not served if a new systems causes such interference to an existing system that both are unusable. The entire purpose of frequency

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[3] In fact, State rules and regulations regarding purchasing require that we utilize competitive bidding procedures whenever possible. While "sole source" purchasing is permitted, we must demonstrate that it is in the best interest of the State to make such purchases.

[4] If, for example, the State seeks a license for a system that utilizes one frequency from those under control of IMSA and one frequency from those under control of APCO, it must first decide which coordinator to submit the initial application, wait for that coordinator to complete its work and pay appropriate that coordinator appropriate fees, then wait again while the application is forwarded to the second coordinator for them to complete their work and pay that coordinator appropriate fees, wait again

coordination is to ensure that both parties will have a usable system when completed. Thus, use of engineering tools, such as a contour overlap analysis, adds to the quality of the frequency coordination process. Such detail, however, is costly to produce and may not be needed on every coordination conducted. Thus, the State suggests that this tool be made available to the frequency coordinators on a "when-needed" basis.

The State further supports the Commission proposal to require each coordinator to notify the other coordinators within one business day of all coordinations conducted. This then allows the other coordinators to compare that action against their own proposals to ensure there is no conflict between separate actions being conducted in parallel.

In summary, the State supports amendment of the FCC Rules and Regulations to enable any of the four certified public safety frequency coordinators to conduct coordinations on any of the channels listed in Section 90.20 of the FCC Rules and Regulations.

Respectfully submitted,

_____ December 5, 2002

Gary R. Grootveld
Chief, Public Safety Radio Services
Department of General Services
Telecommunications Division
601 Sequoia Pacific Blvd
Sacramento, CA 95814-0282

(916) 657-9381

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while the application is returned to the first coordinator to be forwarded to the Commission, then wait for the Commission to act.